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| U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FORM PTO-1390 (REV. 10-2003) | | ATTORNEY'S DOCKET NUMBER BA9297USPCT |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/501,126 |
| INTERNATIONAL APPLICATION NO. PCT/US03/08205 | INTERNATIONAL FILING DATE 18 March 2003 (18.03.03) | PRIORITY DATE CLAIMED 19 March 2002 (19.03.02) |
| TITLE OF INVENTION BENZAMIDES AND COMPOSITIONS BENZAMIDES FOR USE AS FUNGICIDE | | |
| APPLICANT(S) FOR DO/EO/US FOOR, Steve Ray Et. Al. | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> | | |
| <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: 20. Express Label: EU906956403 US 21. Publication with Search Report 22. International Preliminary Examination Report </p> | | |

| U.S. APPLICATION NO. (See 37 CFR 1.52) 22 10/501126 | INTERNATIONAL APPLICATION NO. PCT/US03/08205 | ATTORNEY'S DOCKET NUMBER BA9297USPCT | | | | | | | | | | | | | | | | | | | | |
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| <p>21. The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</p> <p><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00</p> <p><input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00</p> <p><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00</p> <p><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00</p> <p><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p> | | CALCULATIONS PTO USE ONLY | | | | | | | | | | | | | | | | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | \$ 920.00 | | | | | | | | | | | | | | | | | | | | |
| <p><input type="checkbox"/> Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> | | \$ 0.00 | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">CLAIMS</th> <th style="text-align: left; padding: 2px;">NUMBER FILED</th> <th style="text-align: left; padding: 2px;">NUMBER EXTRA</th> <th style="text-align: left; padding: 2px;">RATE</th> <th style="text-align: left; padding: 2px;">\$</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Total claims</td> <td style="padding: 2px;">16 - 20 =</td> <td style="padding: 2px;">0</td> <td style="padding: 2px;">x \$18.00</td> <td style="padding: 2px;">\$ 0.00</td> </tr> <tr> <td style="padding: 2px;">Independent claims</td> <td style="padding: 2px;">4 - 3 =</td> <td style="padding: 2px;">1</td> <td style="padding: 2px;">x \$86.00</td> <td style="padding: 2px;">\$ 86.00</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td style="padding: 2px;"></td> <td style="padding: 2px;">+ \$290.00</td> <td style="padding: 2px;">\$ 0.00</td> </tr> </tbody> </table> | | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | Total claims | 16 - 20 = | 0 | x \$18.00 | \$ 0.00 | Independent claims | 4 - 3 = | 1 | x \$86.00 | \$ 86.00 | <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$290.00 | \$ 0.00 | TOTAL OF ABOVE CALCULATIONS = |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | | | | | | | | | | | | | | | | | | |
| Total claims | 16 - 20 = | 0 | x \$18.00 | \$ 0.00 | | | | | | | | | | | | | | | | | | |
| Independent claims | 4 - 3 = | 1 | x \$86.00 | \$ 86.00 | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$290.00 | \$ 0.00 | | | | | | | | | | | | | | | | | | |
| <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p> | | \$ 0.00 | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL = | | \$ 1,006.00 | | | | | | | | | | | | | | | | | | | | |
| <p><input type="checkbox"/> Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p> | | \$ 0.00 | | | | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | | \$ 1,006.00 | | | | | | | | | | | | | | | | | | | | |
| <p><input type="checkbox"/> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</p> | | \$ 0.00 | | | | | | | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | | \$ 1,006.00 | | | | | | | | | | | | | | | | | | | | |
| | | Amount to be refunded: | | | | | | | | | | | | | | | | | | | | |
| | | charged: | | | | | | | | | | | | | | | | | | | | |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>04-1928</u> in the amount of \$ <u>1,006.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-1928</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | | | | | | | | | | | | | | | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p> | | | | | | | | | | | | | | | | | | | | | | |
| <p>SEND ALL CORRESPONDENCE TO:</p> <div style="border: 1px solid black; padding: 10px; width: 100%;"> <p>HEISER, David E. E. I. DU PONT DE NEMOURS AND COMPANY Legal Patent Records Center 4417 Lancaster Pike Wilmington, Delaware 19805 United States of America</p> </div> | | | | | | | | | | | | | | | | | | | | | | |
|  SIGNATURE | | | | | | | | | | | | | | | | | | | | | | |
| HEISER, DAVID E. NAME | | | | | | | | | | | | | | | | | | | | | | |
| 31,366 REGISTRATION NUMBER | | | | | | | | | | | | | | | | | | | | | | |